

**REMARKS**

This Amendment is in response to the Office Action dated March 24, 2005. Claims 1-3, 5-7 and 9-22 are pending. Claims 1-3, 5-7 and 9-22 are rejected. Claims 1, 6, 7, 9, 11 and 20 have been amended. Claims 6 and 10 have been canceled. Accordingly, claims 1-3, 5, 7, 9 and 11-22 remain pending in the present application.

This application is under final rejection. Applicant has presented arguments hereinbelow that Applicant believes should render the claims allowable. In the event, however, that the Examiner is not persuaded by Applicant's arguments, Applicant respectfully requests that the Examiner enter the amendments to clarify issues upon appeal.

**Claim Rejections – 35 USC 103**

The Examiner states,

3. **Claims 1-3, 5-7 and 9-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Presnell et al., US# 6,182,067 B1 in view of Dornbush et al., US# 6,471,521 B1, and further in view of DeFrancesco et al., US# 6,587,841 B1.**

**As per claims 1, 9 and 11, Presnell et al. teaches “receiving information input a database; organizing items ... database” (see col. 4, lines 10-44) “using data ... allowing users to access and sort items of information according to selected rating criteria ...” (see col. 8, lines 31-47). Presnell does not explicitly teach “collecting ratings and comments associated ...”. Dornbush et al. “collecting ratings and comments associated ...” (see fig. 4—sheet 8 of 22 and col. 10, lines 55-67). It would have been obvious at the time of the invention for one of ordinary skill in the art to have combined the teachings of Dornbush and Presnell above, because using the steps of “collecting ratings and comments associated...” would have given those skilled in the art the tools to measure the relevancy of data received from a data via ratings and comments regarding the data. This gives users the advantage of receiving**

information relevant data based on input by users who are familiar with that data. Presnell et al. does not explicitly teach “allowing users to locate and access selected items of information in a graphic display format... a side-by-side display...choices of what to believe...”. DeFrancesco et al. teaches “allowing users to locate and access selected items of information in a graphic display format... a side-by-side display... choices of what to believe...” (see paragraphs [[0121] and [0125]-[0126]). It would have been obvious at the time of the invention for one of ordinary skill in the art to have combined the teachings of Presnell and DeFrancesco et al., because using the steps of “allowing users to locate and access selected items of information in a graphic display format...a side-by-side display... choices of what to believe...”, would have given those skilled in the art the tools to display information about data in numerous layouts. This give users the advantage of receiving data of various types in a more efficient manner.

As per claim 2, Presnell et al. teaches “adding content, multi-criteria ratings and comment...” (see col. 9, lines 55-67 and col. 10, lines 1-17).

As per claim 3, Presnell et al. teaches “displaying rating scores for each item...” (see col. 16, lines 43-67).

As per claim 5, Presnell et al. teaches “constraining the input according to subject and topic classification choices made by user prior to contributing content” (see col. 18, lines 4-39).

As per claims 6-7, Presnell et al. teaches “graphic symbols for representing the aggregate rating scores for each criteria...” (see col. 16, lines 40-65).

As per claim 10, Presnell et al. teaches “the graphic display format provides a display of other comments providing additional information...” (see col. 3, lines 14-56).

As per claim 12, Presnell et al. teaches “displaying the level of support for an item of information...” (see abstract).

As per claims 13-14, Presnell et al. teaches “selected rating criteria...weighted combinations...” (see col. 4, lines 16-67).

As per claims 15-17, Presnell et al. teaches “selected personal preferences indicating

**the importance of each rating criteria..." (see col. 16, lines 46-67)**

**As per claim 18, Presnell et al. teaches "allowing users to search on a given subject..." (see col. 15, lines 20-55).**

**As per claims 19-21, Presnell et al. teaches "allowing users to add new subject knowledge base" (see col. 18, lines 2-17).**

**As per claim 22, Presnell et al. teaches "allowing content ... comment feedback" (see col. 3, lines 39-63).**

Applicant respectfully traverses these rejections. Applicant has amended independent claim 1 to include the limitations of claims 6 and 10. Neither Presnell nor Dornbush nor DeFrancesco singly or in combination describe or suggest "the graphic display format provides graphic symbols for representing the aggregate rating scores for each criteria and for representing the level of comment support for the content submission" as recited in claim 1. Furthermore, neither Presnell nor Dornbush nor DeFrancesco either singly or in combination disclose "tracking and controlling the rating process, to prevent a user from voting more than once on a particular item", as recited in claim 1.

The cooperation of these elements with the other elements of the claim 1 is neither taught nor suggested by the cited references.

Claims 2, 3, 5, 7, 9 and 11-22 are also allowable since they depend from an allowable base claim.

Furthermore, all cited patents describe systems that are vastly different from the one our patent application covers and they are in very different fields. While on the surface we can see the use of similar words in the other patents, the meaning of these words is most often not the same. We do not share the view that certain parts of our invention fall under the obviousness clause (35 USC 103(a)), because very dissimilar concepts are involved, even if the words are

similar. A person of ordinary skills with knowledge of the above patents would not have come up with our innovation.

Claim 1 explicitly combines receiving, organizing, rating and sorting information in a database. This is the essence of the claimed innovation. Of course there is prior art concerning receiving, organizing and sorting information in a database – that's after all, what a database is made for. The core of our innovation is, however, the collection and use of user's ratings and comments and the use of those ratings to access and sort the information in the database. This very process builds new knowledge out of a discussion among peers.

Presnell, as has been correctly stated, does not explicitly teach collecting ratings and comments and therefore is not relevant for our application.

Dornbush is using 'ratings' and 'comments'. It seems that there is some confusion regarding the use of these words. The features cited in Dornbush allow students to discuss quiz questions online by posting comments for other students to read and rating the answers to quiz questions written by other students. In particular, fig.4 shows the input form for comments, but no use is made of the comments for organizing information. This is very different from using ratings and quantified pro-and-con comments to actually collectively filter knowledge.

The objective of Dornbush is to make an expert's knowledge learnable by a quiz. Results are rated as right/wrong. Comments on questions are possible, but they are simply stored.

The objective of our patent application is to create knowledge by a group of experts working together, each ranking and commenting other's contributions from their own viewpoint, as in agree/don't agree. Next, our system utilizes the data generated by ratings and quantified comments to actually cause the most valuable information to rise in a visibility hierarchy, and thereby generate valuable new knowledge from the collective knowledge and experience of the

group. It is a tool for combining and generating knowledge; while US patent 6,471,521 (Dornbush et al) is a learning system for transmitting course material.

A combination of the patents Presnell and Dornbush and DeFrancesco would not have yielded a system comparable to our innovation, because the words 'ratings' and 'comments' mean very different things in our patent application. Also the resulting functionality is vastly different from either of those patents or a combination thereof. We therefore hold claims 1, 9 and 11 for valid.

DeFrancesco mentions a side-by-side display in its automated credit application system and certainly there have been side-by-side displays almost as long as computers have existed. Our claim 8 however mentions side-by-side displays specifically and separately for comments supporting or disputing the content submission, allowing individuals to make informed decisions and choices of what to believe. We believe that this is significantly different from putting credit information side-by-side as in DeFrancesco.

Claim 1g) describes tracking and controlling the rating process, to prevent a user from voting more than once on a particular item. This is not described in any of the other patents.

Claims 18-22 describe basic database functions, but relate them to their specific use in claim 1, which we consider valid.

Accordingly, Applicant respectfully submits that a combination of the patents cited would not have yielded a system of any similarity to our application. Accordingly, applicant respectfully request an allowance of the claims as now presented.

To clarify the intent and extent of the invention, please find hereinbelow an example of the utility of the present invention:

- Suppose a new strain of SARS is detected in China. Two thousand doctors around the world need to come together on the Internet and discuss their ideas how to prevent it from spreading. The best ideas need to be discovered in this discussion in a matter of days.

In a database system according to Presnell, the different ideas can be stored and reviewed. Comments can be added to ideas so that they can be read together with each idea. Adding the teachings of Dornbush, doctors can create a teaching system for their students, allowing them to be tested by a set of questions and also have comments regarding the questions. Adding the teachings of DeFrancesco, the ideas could be presented in side-by-side displays on the computer screen.

The problem with such a system is, that it has 2,000 doctors inputting 10 ideas each plus comments on other's ideas leading to a heap of 20,000 ideas that are not sorted and only moderately accessible.

All of this is, however, not approaching the extent of the recited invention. With a method in accordance with the present invention as recited in claim 1 doctors can attach rankings and qualified comments ("collecting ratings and comments associated with each item of information") to other doctor's ideas that serve as the input for a mathematical ranking system. This ranking is recited in claim 1 as follows: "using data generated by the ratings and comments to allow users to sort the items of information according to selected rating criteria in order to find the most reliable and/or valuable information from the database". Now the ideas can be ranked according to the rating criteria established, for example reliability, inventiveness and probability of success. Additionally, the ranking can be influenced by the quality and count of the comments (good, negative, and neutral), as recited in claim 1: "representing the level of comment support". None of the other patents grades comments or uses them to sort or organize

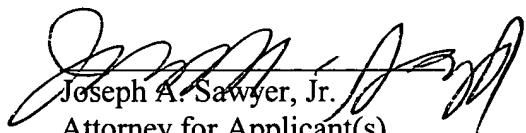
the database – they simply store them. None of the other patents also provides a side-by-side display of “comments supporting or disputing the content” as recited in claim 1e.

A system and method now allows users in accordance with the present invention to sort within a topic according to personally selected rating criteria, thereby causing the most useful content to rise to the top of the sorted list. And so, within days, these 2,000 doctors can find the most reliable, inventive or potentially successful treatment concept based upon a system and method in accordance with the present invention.

In view of the foregoing, it is submitted that claims 1-3, 5, 7, 9 and 11-22 are allowable over the cited art. Applicant respectfully requests reconsideration and allowance of claims 1-3, 5, 7, 9 and 11-22 as now presented. Accordingly, Applicant’s attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant’s attorney at the telephone number indicated below.

Respectfully submitted,  
SAWYER LAW GROUP LLP

September 23, 2005



Joseph A. Sawyer, Jr.  
Attorney for Applicant(s)  
Reg. No. 30,801  
(650) 493-4540